

United States District Court**Dec 12, 2023****for the**

SEAN F. McAVOY, CLERK

Eastern District of Washington**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)**

Name of Offender: Ernest Lee Lantis

Case Number: 0980 2:08CR02108-EFS-1

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: August 4, 2010

Type of Supervision: Supervised Release

Original Offense:

Ct. 1: Possession of a Controlled Substance with Intent to Distribute - Methamphetamine, 21 U.S.C. § 841(a)(1)

Ct. 2: Possession of a Controlled Substance with Intent to Distribute - Marijuana, 21 U.S.C. § 841(a)(1)

Ct. 4: Possession of a Firearm by a Prohibited Person, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 151 M; TSR - 84 M

Date Supervision Commenced: January 17, 2018

Sentence Reduction: Prison - 121 M; TSR - 84 M
(09/26/2016)

Date Supervision Expires: January 16, 2025

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 18 You must obtain a portable breathalyzer and be subject to testing up to six times per day for a period of 180 days. You must abide by all the program and technology requirements. You shall pay for the costs of the device.

CAUSE

On August 4, 2010, the above-named offender was sentenced in the Eastern District of Washington to 151 months imprisonment, with 7 years of supervised release to follow. On September 26, 2019, the offender's sentence was reduced to 121 months imprisonment, with 7 years of supervised release to follow. On January 17, 2019, the offender completed his term of imprisonment, and commenced his term of supervised release.

On October 22, 2023, Mr. Lantis was charged with driving under the influence of alcohol and speeding 21 miles per hour (MPH) over the posted limit. He is scheduled to appear before Selah Municipal Court on January 16, 2024, for a pretrial conference. According to the Selah Police Department's (SPD) narrative report for incident number 23H2853, the following occurred: On October 22, 2023, SPD initiated a traffic stop after observing Mr. Lantis, traveling at 46 MPH in a 25 MPH zone. Upon contact with the offender, the officer observed Mr. Lantis' movements to be "slow and sluggish," and his eyes bloodshot, watery, and his pupils dilated. Mr. Lantis initially denied consuming alcohol. However, shortly thereafter, another SPD officer arrived at the scene and after speaking with the offender and observing a Coors Banquet Beer in the backseat of Mr. Lantis' vehicle, the offender admitted to consuming two beers earlier that same day.

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It should be noted, due to Mr. Lantis' medical ailments, he only performed the Horizontal Gaze Nystagmus (HGN). SPD reported Mr. Lantis provided 6 out of 6 clues on the HGN Test. Additionally, the offender submitted a preliminary breath test of .131. Mr. Lantis was subsequently arrested and transported to the Yakima County Jail where he provided two additional breath samples of .116/.117 and .118/.119. Following the samples, SPD transported Mr. Lantis to his residence where he was issued a mandatory court appearance.

On October 30, 2023, Mr. Lantis expressed to this officer that he has been struggling with medical issues and he used alcohol to numb his excruciating pain. Mr. Lantis has been placed on the random drug testing colorline system and all submitted drug tests have been negative. Additionally, the offender is scheduled to begin intensive outpatient substance abuse treatment services at Merit Resource Services on December 11, 2023.

Mr. Lantis has health issues requiring ongoing care. Additionally, he has acknowledged his need for substance abuse treatment and services to help manage how he addresses his ongoing physical pain. Modifying Mr. Lantis' conditions of supervision provides the offender with additional education, support, and accountability. Mr. Lantis has agreed to have his conditions of supervision modified accordingly.

Respectfully submitted,

by s/Araceli Mendoza

Araceli Mendoza

U.S. Probation Officer

Date: December 8, 2023

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer

December 12, 2023

Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:


- 18 You must obtain a portable breathalyzer and be subject to testing up to six times per day for a period of 180 days. You must abide by all the program and technology requirements. You shall pay for the costs of the device.

Witness:



Araceli Mendoza
U.S. Probation Officer

Signed:



Ernest Lee Lantis
Probationer or Supervised Releasee

12-7-23
Date